

### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

#### **Disposition of Claims**

Claims 2-23 are pending in the application. Claim 20 is independent. The remaining claims depend, directly or indirectly, from claim 20.

#### **Objection to the Abstract**

The originally filed abstract has been replaced by a new abstract included with this response. The Applicant respectfully asserts that the new abstract meets the requirements described in MPEP §608.01(b). Accordingly, withdrawal of the objection is respectfully requested.

#### **Objection to the Claims**

The Applicant thanks the Examiner for indicating that the claim number does not meet the guideline listed in MPEP § 608.01(n) at this current state of prosecution. However, the Applicant respectfully notes that the currently amended/presented claims would be renumbered upon allowance and prior to issuance of the patent to meet this requirement. In fact, the MPEP states in the discussion associated with MPEP § 608.01(n) that “[d]uring prosecution, the order of claims may change and be in conflict with the requirement that dependent claims refer to a preceding claim. Accordingly, the numbering of dependent claims and the numbers of preceding claims referred to in dependent claims should be carefully checked when claims are renumbered upon allowance.” Therefore, at this stage, the Applicant does not believe that the pending claims need to be renumbered.

**Rejections under 35 U.S.C. §112**

Claims 5, 7, 16-19, and 22-23 stand rejected under 35 U.S.C. § 112, ¶2, as being indefinite for failing to particularly point out and distinct claim subject matter which the Applicant regards as the invention. The claims 5, 7, 16, 18-19, and 22-23 have been amended in accordance with the Examiner's suggestions listed on pages 3-5 of the Action. In addition, the Applicant respectfully asserts that there is sufficient antecedent basis for the limitation "temporarily saved within a second volatile memory" in claim 17. Accordingly, withdrawal of this rejection is respectfully requested.

**Rejection(s) under 35 U.S.C. §102(b)**

Claims 2-6 and 8-23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,651,066 (hereafter "Moriyasu"). The rejection is respectfully traversed. For anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. The Applicant respectfully asserts that Moriyasu does not teach or suggest a method for customizing a set of several second security units as recited in the claims.

Specifically, Moriyasu does not teach or suggest at least the following elements recited in independent claim 20:

- (i) Moriyasu fails to teach or suggest a transport key. As recited in the claims, each unit (*i.e.*, the first unit and the second unit) includes the same transport key which is set prior to communication of the encrypted application key. Thus, no transport key is communicated across the network between the first unit and the second unit. Moriyasu does not disclose *any* key which could properly be considered a transport key. The *only* keys which Moriyasu discloses are keys (*i.e.*, K3, K4, K3', K2e, K2d) which are *not* present on both the first unit and the second unit prior to the communication between the first and second units.
- (ii) Moriyasu fails to teach or suggest storing a transport key in non-volatile memory. As recited in the claims, the transport key is stored in the non-volatile memory of the first and second units. Moriyasu does not teach or suggest storing any key in non-volatile memory. Moreover, K4, which the Examiner asserts is equivalent to the transport key, is generated for

every transaction, thus, there would be no need to store K4 in non-volatile memory. In fact, storing K4 in non-volatile memory would negate the security benefits of having random number of each transaction.

Moreover, Moriyasu fails to teach or suggest “using information pertaining to an application key” in the customization method recited in dependent claims 4-5, 8, 10, 18-19, and 22. Specifically, Moriyasu does not teach or suggest using information pertaining to the application key (*i.e.*, the key to be encrypted). Rather, in the section of Moriyasu cited by the Examiner, Moriyasu only teaches entering a user ID, password, etc., which correspond to a *user* and not an *application* key.

In view of the above, Moriyasu cannot be used to support the above rejection. Accordingly, withdrawal of the rejection is respectfully requested.

#### **Rejeciton(s) under 35 U.S.C. §103(a)**

Claim 12 stands rejected under 35 U.S.C. § 103(a) as being obvious over Moriyasu in view of U.S. Patent 4,683,553 (hereafter “Mollier”). The rejection is respectfully traversed. Claim 12 depends from independent claim 20. As discussed above, Moriyasu does not teach or suggest the invention as recited in claim 20. Further, Mollier does not teach or suggest what Moriyasu lacks. In view of the above, Moriyasu and Mollier, whether viewed separately or in combination, cannot be used to support the above rejection. Accordingly, withdrawal of the rejection is respectfully requested.